

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARDINAL HEALTH, INC.,

Petitioner,

v.

NATIONAL BOARD OF
MEDICAL EXAMINERS,

Respondent.

Civil Action No. _____

**MOTION TO COMPEL DISCOVERY RESPONSES FROM
NATIONAL BOARD OF MEDICAL EXAMINERS**

Comes now Petitioner Cardinal Health, Inc., and moves this Court to compel the National Board of Medical Examiners (“NBME”) to comply with a subpoena duces tecum issued in two cases in the national prescription opiate multidistrict litigation that have been remanded for trial: *The City of Huntington v. AmerisourceBergen Drug Corp.*, No. 3:17-cv-1362 (S.D. W. Va.), and *Cabell County Commission v. AmerisourceBergen Drug Corp.* No. 3:17-cv-1665 (S.D. W. Va.).¹ The subject subpoena was issued in the Southern District of West Virginia, to which these MDL cases have been remanded for trial. NBME is located in Philadelphia, so Petitioner files this motion in this Court. Given the exceptional circumstances presented by the underlying cases’ role in the opiate MDL, however, Petitioners further move that this motion be transferred to the Southern District of West Virginia for resolution there. Petitioner’s grounds for both transfer and for the motion to compel are set forth more fully in the accompanying memorandum.

¹ These cases have been remanded for trial from *In Re National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio).

Dated: May 15, 2020

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I, Patricia Mulvoy Kipnis, counsel for Cardinal Health, Inc. do hereby certify that on This 15th day of May, 2015, the foregoing **MOTION TO COMPEL DISCOVERY RESPONSES FROM NATIONAL BOARD OF MEDICAL EXAMINERS** was filed electronically via the CM/ECF electronic filing system and served via First Class United State Mail, postage pre-paid on counsel for the Respondent.

/s/ Patricia Mulvoy Kipnis